

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 4017-01
BILL NO.: HB 1835
SUBJECT: Civil Rights; Consumer Protection; Employees - Employer; Insurance - General
TYPE: Original
DATE: February 17, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Consolidate Health Care Plan**, the **Department of Social Services**, the **Department of Transportation**, the **Department of Conservation**, the **Department of Social Services**, the **Department of Public Safety (DPS) - Capital Police**, the **DPS - Division of Fire Safety**, and the **DPS - Missouri State Highway Patrol** assume this proposal would not fiscally impact their agencies.

Department of Insurance (INS) officials said that issues concerning discrimination would be incorporated into current examination process. INS would be required to provide additional scrutiny of all life and health insurance application forms to assure they do not include or indicate the possibility of genetic testing. INS anticipates that current appropriations and staff would be available to absorb the work for implementation of this single proposal. However, if additional proposals are approved during the legislative session, INS may need to request an increase in appropriations due to the combined effect of multiple proposals.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses which are genetic testing laboratories could be affected by the civil liability provisions of the proposal.

DESCRIPTION

This proposal would change the law regarding use of genetic information and genetic tests by insurance companies, employers, and genetic testing laboratories. Specifically, the proposal
DESCRIPTION (continued)

would: (1) change the definitions for genetic information and genetic tests; (2) prohibit insurance companies from discriminating against individuals or family members based on their genetic information or based on their request for genetic services; (3) prohibit employers from requiring DNA samples or obtaining any genetic information or genetic test results from employees or prospective employees; and (4) make employers and genetic testing laboratories civilly liable for damages caused by violating the provisions of the proposal relating to genetic information and testing.

The proposal would also prohibit entities from requesting or requiring a person, as a condition of employment or doing business, to submit to fingerprinting, retina scans, voice prints, or DNA testing. Law enforcement agencies, Missouri bar examiners, and other entities specifically authorized by state or federal law to conduct such procedures are exempted from the prohibition. Persons who violate these provisions would be guilty of a class C misdemeanor and may be fined up to \$1,000. In addition, entities that violate these provisions are subject to a civil penalty, which may not exceed \$100,000.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Insurance
Missouri Consolidated Health Care Plan
Department of Social Services
Department of Conservation
Department of Transportation
Department of Public Safety
Missouri State Highway Patrol



Jeanne Jarrett, CPA
Director
February 17, 2000